

City of Annapolis
Alcoholic Beverage Control Board
May 7, 2008

The Regular Meeting of the Alcoholic Beverage Control Board of the City of Annapolis was held on May 7, 2008 in the City Council Chamber. Chair Charles M. Grayston called the meeting to order at 3:00 p.m.

Present: Chair Charles M. Grayston , Vice Chair Leonard Berman, Members Gerald Everett, Elizabeth Finkle

Vice Chair Berman moved to approve the Journal of Proceedings of April 2, 2008. Seconded. CARRIED on voice vote.

There being no objection, the order of the agenda was amended.

- **STANTON COMMUNITY CENTER**

Request for Class C, Special One Day Liquor License - Margarita Wright

Following discussion, Vice Chair Berman moved to approve the application for a Class C, Special One Day Liquor License for Beer, Wine and Liquor to Margarita Wright at the Stanton Center on June 7, 2008. Seconded. CARRIED on voice vote.

The order of the agenda was resumed.

PUBLIC HEARINGS

- **JERRY'S SEAFOOD AT METROPOLITAN**

Application for the transfer of a Class B-4.x, Restaurant, beer, wine and liquor, on sale, six a.m. to midnight, seven days a week (special Sunday License), in addition, sales as authorized from midnight to two a.m. by Philip Gainey and Michael Kevin Fitzgerald, for the premises known as WAVZ, LLC (formerly, Metropolitan, LLC) t/a JERRY'S SEAFOOD AT METROPOLITAN, 171 West Street, Annapolis, Maryland 21401.

Sara H. Arthur, attorney for the applicants, 213 Duke of Gloucester Street, Annapolis, Maryland 21401, gave a brief presentation.

Applicants Philip Gainey and Michale Kevin Fitzgerald were present and answered questions addressed by the Board.

Chong "Jason" Lee, general manager for Jerry's Seafood was also present and answered questions addressed by the Board.

Spoke in opposition regarding the application:

Burton Blistein, 17 Monroe Court, Annapolis, Maryland 21401.

No one else from the general public spoke in favor of or in opposition to the application.

Vice Chair Berman moved to approve *contingent upon all obligations satisfied with the Comptrollers of Maryland* the application for the transfer of a Class B-4.x, Restaurant, beer, wine and liquor, on sale, six a.m. to midnight, seven days a week (special Sunday License), in addition, sales as authorized from midnight to two a.m. by Philip Gainey and Michael Kevin Fitzgerald, for the premises known as WAVZ, LLC t/a JERRY'S SEAFOOD AT METROPOLITAN, 171 West Street, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

- **THE WHISKEY**

Application for the transfer of a Class B-4.x.a.b, Restaurant, beer, wine and liquor, on & off sale, six a.m. to midnight, seven days a week (special Sunday License), in addition, sales as authorized from midnight to two a.m. by Michael S. Hearne and Robert B. Muller, for the premises known as The Whiskey Annapolis, LLC (formerly, Big Fore, LLC) t/a THE WHISKEY, 1803 West Street, Annapolis, Maryland 21401.

Applicants Robert B. Muller and Michael S. Hearne were present and answered questions addressed by the Board.

No one from the general public spoke in favor of or in opposition to the application.

Member Everett moved to approve the application for the transfer of a Class B-4.x.a.b, Restaurant, beer, wine and liquor, on & off sale, six a.m. to midnight, seven days a week (special Sunday License), in addition, sales as authorized from midnight to two a.m. by Michael S. Hearne and Robert B. Muller, for the premises known as The Whiskey Annapolis, LLC t/a THE WHISKEY, 1803 West Street, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

- **THE MAIN INGREDIENT**

Application for an upgrade from a Class B-1.a, Restaurant, Beer, Wine and Liquor, only with meals, six a.m. to midnight, Monday through Saturday, in addition, off-sale Monday

through Saturday during authorized hours, to a Class B-2.a.b, Restaurant, Beer, Wine and Liquor, only with meals, six a.m. to midnight, seven days per week (special Sunday License), in addition, off sale, Monday through Sunday (special Sunday License) during authorized hours by Thomas N. Hogan, Jennifer M. Panik and Sandra S. Patty for the premises known as Federal Catering, LLC. t/a The MAIN INGREDIENT, 914 Bay Ridge Rd, Annapolis, Maryland 21403.

Applicants Thomas N. Hogan, Jennifer Panik and Sandra S. Patty were present and answered questions addressed by the Board.

No one from the general public spoke in favor of or in opposition to the application.

Member Everett moved to approve the upgrade application for a Class B-2.a.b, Restaurant, Beer, Wine and Liquor, only with meals, six a.m. to midnight, seven days per week (special Sunday License), in addition, off sale, Monday through Sunday (special Sunday License) during authorized hours by Thomas N. Hogan, Jennifer M. Panik and Sandra S. Patty for the premises known as Federal Catering, LLC. t/a The MAIN INGREDIENT, 914 Bay Ridge Rd, Annapolis, Maryland 21403. Seconded. CARRIED on voice vote.

- **BAY RIDGE WINE & SPIRITS**

Application for the expansion of a Class A-2.b, package goods , beer, wine and liquor, to include adjoining unit # 109, by Charles W. Ferrar, Sally Larson Kaiser and Lisa Marberger, for the premises k/a 109-11 Hillsmere Dr. Corp., t/a BAY RIDGE WINE & SPIRITS, 109-11 Hillsmere Drive, Annapolis, Maryland 21403

Steve Wise, attorney for the applicants, Schwartz, Metz & Wise, P.A., 10 W. Madison Street, Baltimore, Maryland 21201 gave a brief presentation.

Applicants Charles W. Ferrar, Sally Larson Kaiser and Lisa Marberger were present and answered questions addressed by the Board.

Spoke in favor of regarding the application:

Dr. Gerald Patnode, Professor of Marketing, York College of PA and President of G. R. Patnode & Company, LLC, 403 W. Timonium Rd. Lutherville, Maryland 21093.

No one from the general public spoke in favor of or in opposition to the application.

Member Everett moved to approve, *subject to the requirements of Laws & Regulations of the State of Maryland, Article 2B, section 9-108 (f)*, the application for expansion of Class A-2.b, package goods , beer, wine and liquor, to include adjoining unit # 109, by Charles

W. Ferrar, Sally Larson Kaiser and Lisa Marberger, for the premises k/a 109-11 Hillsmere Dr. Corp., t/a BAY RIDGE WINE & SPIRITS, 109-11 Hillsmere Drive, Annapolis, Maryland 21403. Seconded. CARRIED on voice vote.

- **PHILLY FLASH**

Application for a new alcoholic beverage license Class B-2, Restaurant, Beer and Light Wine, only with meals, six a.m. to midnight seven days per week (special Sunday license), by Joseph A. DeCesaris, Donna M. DeCesaris and Lenore E. Madigan, for the premises known as Philly Flash LLC, t/a PHILLY FLASH, 1901 West Street, Annapolis, Maryland 21401.

Applicants Joseph A. DeCesaris, Donna M. DeCesaris and Lenore E. Madigan were present and answered questions addressed by the Board.

No one from the general public spoke in favor of or in opposition to the application.

Member Everett moved to approve the application for a new, Class B-2, Restaurant, Beer and Light Wine, only with meals, six a.m. to midnight seven days per week (special Sunday license), by Joseph A. DeCesaris, Donna M. DeCesaris and Lenore E. Madigan, for the premises known as Philly Flash LLC, t/a PHILLY FLASH, 1901 West Street, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

Chair Grayston declared the public hearing closed.

BUSINESS AND MISCELLANEOUS

- **COURT OF SHANGHAI - Substitutions**

Anna C. Han to replace Margaret S. Ngan
James Han to replace Kenny P. Ngan

Jason A. DeLoach, attorney for the applicants, 11414 Livingston Road, Fort Washington, Maryland 20744-5146, gave a brief presentation.

Licensees, Marilyn Bacon, Anna C. Han and James Han were present.

Vice Chair Berman moved to approve the substitution of Anna C. Han and James Han as officers for the alcoholic beverage license of Court of Shanghai. Seconded. CARRIED on voice vote.

- **ADAMS STREET BLOCK PARTY** - Special One Day Liquor License

Request for Class C, Special One Day Liquor License with consumption of alcoholic beverages on City Property.

Mollie Dennis presented the request and answered questions addressed by the Board.

No one from the general public spoke in favor of or in opposition to the application.

Member Finkle moved to approve the request of Adams Street Block Party for consumption of alcoholic beverages on City Property June 21, 2008 from 3:00 p.m. to 7:00 p.m. Seconded. CARRIED on voice vote.

- **EASTPORT YACHT CLUB** -Special Events

Requests for consumption of alcoholic beverages off-site during special events

William Kocan, General Manager for Eastport Yacht Club presented the requests and answered questions addressed by the Board.

No one from the general public spoke in favor of or in opposition to the application.

Member Everett moved to approve in bulk the requests of Eastport Yacht Club for consumption of alcoholic beverages off-site during special events on May 20,21,29,31; June 7,12,14,28; July 4, 26; August 24, 2008. Seconded. CARRIED on voice vote.

- **NAVAL ACADEMY ATHLETIC ASSOCIATION** - NAAA

Request for Class C, Special One Day Liquor License - Zooma ½ Marathon & 10K

Jonathan Brianas, Assistant Athletic Director presented the request and answered questions addressed by the Board.

No one from the general public spoke in favor of or in opposition to the application.

Member Everett moved to approve the request of the Naval Academy Athletic Association for a Class C, Special One Day Liquor License on June 1, 2008 at the Navy-Marine Corps Memorial Stadium. Seconded. CARRIED on voice vote.

- **ALDERMAN ISRAEL** - Discussion

Enforcement of Noise and Approval Procedures for Special Events; Acme Bar & Grill Noise Complaint

Discussion and review of Enforcement of Noise Policies and Procedures for approval of Special Events.

Present: Alderman Richard Israel, Sgt. David Garcia and Inspector Jim Morris, Annapolis Police Department, Denise Worthen, Acting President, Murray Hill Association, Brenda Desjardins, resident of 14 German Street, Annapolis, Maryland 21401.

No Action taken.

- **ACME BAR & GRILL**

Complaint of Loud Street Noise and Public Disturbance.

Licensees, Kevin Epley and John Crabtree were present and answered questions addressed by the Board.

Christopher Buck, attorney for the licensees, 23 West Street, Annapolis, Maryland 21401 answered question by the Board.

Complainants, Ted and Beth Levitt, answered questions addressed by the Board.

No Action taken.

Upon motion duly made, seconded and adopted, the meeting adjourned at 5:45 p.m.

Theresa Bucalo
Deputy City Clerk